REMARKS

This Application has been carefully reviewed in light of the Final Office Action mailed November 21, 2006. At the time of the Final Office Action, Claims 1-25 were pending in this Application. Claims 1-25 were rejected. Applicants respectfully request reconsideration and favorable action in this case.

Objection to the Drawings under 37 CFR 1.83(a)

The drawings were objected to under 37 CFR 1.83(a) for failure to show every feature of the invention specified in the claims. Applicants respectfully traverse the objection. Applicants note that Claim 1 recites "a start-up time for a first server module based on the unique address for the first server module and a multiplication factor associated with a duration of an inrush load requirement of each server module."

This feature is depicted in Figure 5 of the application, as step 56 ("CALCULATE THE START-UP TIME FOR EACH SERVER MODULE"). As more fully discussed in the specification, the start-up time is calculated by "multiplying the multiplication factor by the location address" (page 27, line 29 - page 28, line 1). The multiplication factor "depends on various factors such as the inrush load requirement for server blades 16 and the amount of time it takes for each server blade 16 to settle into steady-state operation" (page 20, lines 14-15). Applicants' Figure 5 shows this feature of the claims and, therefore, Applicants respectfully request that the Examiner withdraw this objection.

Rejections under 35 U.S.C. §103

Claims 1-9 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication 2002/0198608 issued to Bruce Alan Smith ("*Smith*"), in view of Japanese Publication 2000-102166 issued to Akiro Ando ("*Ando*").

Claim 10 was rejected under 35 U.S.C. §103(a) as being unpatentable over *Smith* and *Ando* as applied Claim 1, and further in view of U.S. Patent 6,735,704 issued to David Butka et al. ("*Butka*").

Claim 11 was rejected under 35 U.S.C. §103(a) as being unpatentable over *Smith* and *Ando* as applied to Claim 1, and further in view of U.S. Patent Publication 2005/0177755 issued to Henry T. Fung ("*Fung*").

Claims 12-13 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Smith* and *Ando* as applied to Claim 1, and further in view of U.S. Patent 6,766,222 issued to Raymond S. Duley ("*Duley*").

Claims 14-16, 18-23, and 25 rejected under 35 U.S.C. §103(a) as being unpatentable over *Smith* in view of *Fung* and *Ando*.

Claim 17 and 24 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Smith*, *Fung*, and *Ando* as applied to Claim 14, and further in view of *Butka*.

Applicants respectfully traverse and submit the cited art combinations, even if proper, which Applicants do not concede, does not render the claimed embodiment of the invention obvious.

In order to establish a prima facie case of obviousness, the references cited by the Examiner must disclose all claimed limitations. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974). Furthermore, according to § 2143 of the Manual of Patent Examining Procedure, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991).

Claim 1 is Allowable over the proposed Smith-Ando combination

Claim 1 recites, among other limitations:

> a midplane operable to receive the at least two server modules and to provide a unique address for each server module; and

> an address module operable to obtain the unique addresses from the midplane.

The proposed *Smith-Ando* combination fails to disclose these claimed limitations. For instance, the system disclosed in *Smith* is able to read identification information because "*each blade's GA pins are hardwired* to a unique combination of 0's (ground) and 1's Vcc at the connector" (0008). *Smith* also requires that "the bus controller 106 of each blade 102 is able to read the value of its corresponding GA pins" (0025). *Smith*, then, does not disclose a midplane which provides a unique address for each server module. The teachings of *Smith* require that any blade later inserted into the connector be *manually hardwired* with a location code.

In contrast, the invention as described in Claim 1 recites that the *midplane* "provide[s] a unique address for each server module," and that the "address module [be] operable to obtain the unique address *from the midplane*" (emphasis added). The invention of Claim 1 provides a code based on the server's physical location in the midplane, rather than a hardwired code on the server such as that taught by *Smith*.

For these reasons, the combination of *Smith* and *Ando* fails to disclose every limitation of Claim 1. Applicants respectfully request, therefore, that the Examiner withdraw his rejection of Claim 1.

Claims 14 and 23 is Allowable over the proposed Fung-Ando-Smith combination

Applicant respectfully maintains that the proposed combination, namely *Fung* with either *Smith* or *Ando*, is not suggested or motivated by the references themselves or in the knowledge generally available to one of ordinary skill in the art. *Fung* is generally directed to "power and energy consumption and workload management" to "maintain performance while conserving energy" (Abstract). *Ando*, on the other hand, is concerned with "distributing the rush current" so that each card is not "turned on at coincidence" (0007), but has no application during the normal

operation of the system. Finally, *Smith* gives no indication whatsoever of concern with power management -- neither at start up nor at any time in the operation of the system.

Even assuming the proposed *Fung-Smith-Ando* combination is correct, which Applicants do not concede, the combination fails to disclose, teach or suggest the limitations of Claims 14 and 23. For example, regarding Claim 14, the cited references fail to teach or suggest:

> obtaining the unique address for each server module from the midplane.

As another example, regarding Claim 23, the cited references fail to teach or suggest:

> the midplanes including a plurality of connectors, each connector operable to interface with one server module and provide a unique address for each server module based on which connector the server modules interface with.

The system disclosed in *Smith* is able to read identification information because "*each blade's GA pins are hardwired* to a unique combination of 0's (ground) and 1's Vcc at the connector" (0008). *Smith* also requires that "the bus controller 106 of each blade 102 is able to read the value of its corresponding GA pins" (0025). Neither *Smith, Ando* or *Fung* discloses a midplane which provides a unique address based on the servers location in the midplane. The teachings of *Smith* require that any blade later inserted into the connector be *manually hardwired* with a location code.

In contrast, Claim 14 recites that the midplane "provide[s] a unique address for each server module," and that the "address module [be] operable to obtain the unique address *from the midplane*" (emphasis added). In a similar manner, Claim 23 requires that each connector included in the midplanes "*provide[s] a unique address* for each server based on which connector the server modules interface with." Claim 1 recites a unique address based on the server's physical location in the midplane, rather than a hardwired code on the server such as that taught by *Smith*.

For at least these reasons, the proposed *Fung-Smith-Ando* combination fails to disclose, teach or suggest every limitation of Claim 14 and 23. Applicants respectfully request, therefore, that the Examiner withdraw his rejection of Claim 14 and 23.

Given that Claims 2-13 depend from Independent Claim 1, Claims 15-22 depend from Independent Claim 14 and Claims 24 and 25 depend from Independent Claim 23, Applicants respectfully submit that Claims 1-25 are currently allowable.
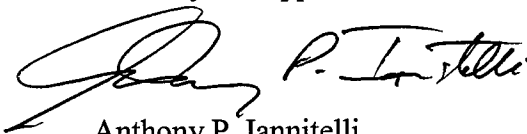
CONCLUSION

Applicants have now made an earnest effort to place this case in condition for allowance in light of the amendments and remarks set forth above. Applicants respectfully request reconsideration of Claims 1-25.

Applicants believe there are no fees due at this time; however, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 50-2148 of Baker Botts L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.322.2642.

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